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ATTORNEY'S DOCKET NO: C01104/70016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin Dowling, et al.  
Serial No: 09/805,590  
Confirmation No: 1160  
Filed: March 13, 2001  
For: LIGHT-EMITTING DIODE BASED PRODUCTS  
Examiner: A., Minh D.  
Art Unit: 2821

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Box DAC, Assistant Commissioner for Patents, Washington, D.C. 20231, on the 8th day of October, 2002.

*Janine Michalski*  
Janine Michalski

BOX: DAC  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing are the following documents:

- [X] PETITION UNDER 37 C.F.R. §1.78(a)(3) FOR ACCEPTANCE OF UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY UNDER 35 U.S.C. §120
- [X] AMENDMENT
- [X] STATEMENT UNDER 37 C.F.R. 1.78(a)(3)(iii)
- [X] RETURN RECEIPT POSTCARD

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (617)720-3500, Boston, Massachusetts.

A check in the amount of \$1,280.00 is enclosed to cover the fee for the Petition for Acceptance of Unintentionally Delayed Claim for Priority. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

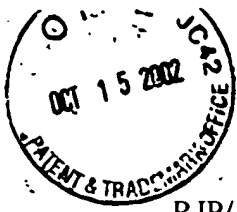
**Kevin Dowling, et al., Applicants**

By:

*Joseph Teja, Jr.*  
Joseph Teja, Jr., Reg. No. 45,157  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, MA 02210-2211  
Tel. (617) 720-3500  
Attorneys for Applicants

Docket No. C01104/70016  
Dated: October 8, 2002  
X (NDD)

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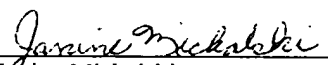
RJP/JT

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Janine Michalski

BOX DAC  
Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. 1.78(a)(3)(iii)

Sir:

In the above-identified application, the entire delay between the date that the priority claim was due, under 37 CFR 1.78(a)(2)(ii), to the references indicated in the attached Amendment, and today's date on which the claim is filed, was unintentional.

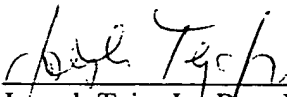
During a review of this application file in preparation for drafting a response to the above-mentioned Office Action, and pursuant to discussions with representatives of the current assignee of record (Color Kinetics, Inc.), the undersigned noted that the priority claim references listed in the "Cross Reference to Related Applications" section of the application as filed were incomplete. In particular, a number of non-provisional and provisional applications to which the listed references similarly are entitled a benefit were omitted inadvertently from the listed references.

In view of the foregoing, Applicants have enclosed herewith a Petition Under 37 CFR 1.78(a)(3) for Acceptance of an Unintentionally Delayed Claim for Priority Under 35 U.S.C. §120, together with an Amendment specifying the applications for which a benefit is sought, this statement that the amended benefit claim is unintentionally delayed, and the required surcharge.

Favorable consideration is requested.

Respectfully submitted  
*Kevin Dowling, et al., Applicants*

By:

  
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Attorneys for Applicant

Docket No. C01104/70016

Date: October 8, 2002